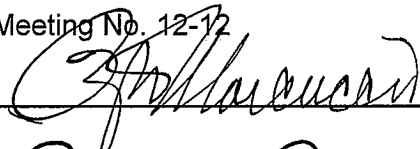
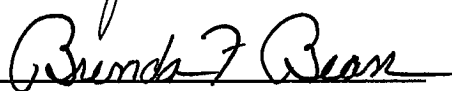


APPROVED: Meeting No. 12-12

ATTEST:

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
September 12, 2011  
7:00 p.m.  
Meeting No. 25-11

PRESENT:

Mayor Phyllis Marcuccio, Councilmember John Britton, Councilmember Piotr Gajewski, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala

STAFF PRESENT:

City Manager Scott Ullery, Senior Assistant City Attorney Cynthia Walters, and City Clerk Glenda P. Evans

**Executive Session pursuant to Section 10-508(a)(1)(i) of the State Government Article of the Annotated Code of Maryland to discuss the annual performance evaluation of the City Clerk.**

**Motion:** to convene in Executive Session pursuant to Section 10-508(a)(1)(i) of the State Government Article of the Annotated Code of Maryland to discuss the annual performance evaluation of the City Clerk.

Moved by Councilmember Newton, seconded by Councilmember Pierzchala and unanimously passed

Present at the Executive Session were Mayor Phyllis Marcuccio, Councilmember John Britton, Councilmember Piotr Gajewski, Councilmember Bridget Donnell Newton and Councilmember Mark Pierzchala. Also present was City Clerk Glenda P. Evans.

The topic of discussion was the annual performance evaluation of the City Clerk. The Executive Session was adjourned at approximately 7:00 p.m.

**1. Convene**

The Mayor and Council convened in a regular meeting on Monday, September 12, 2011, at 7:00 pm. in the Mayor and Council Chambers, 111 Maryland Avenue, Rockville, Maryland.

**2. Pledge of Allegiance**

The Mayor led the Pledge of Allegiance.

**3. Agenda Review**

City Clerk Glenda Evans reported that there were no changes to the agenda.

#### **4. City Manager's Report**

**City Manager Scott Ullery reported on the following:**

- 1) Federal Realty signed a lease with Ellwood Thompson grocery. Dawson's Market is expected to open in the spring of 2011 and staff will return to the Mayor and Council for naming rights consideration.
- 2) Appreciation to Communications Team for the Mayor's Photos now on display in the lobby of City Hall.

#### **5. Presentation - Town Center Update**

Assistant City Manager Jenny Kimball reported:

- 1) Federal Realty assumed the management of the parking in Town Square. There is a new pay system and signs are being installed. The new system should be complete and ready for operation by the end of the month.
- 2) Choice Hotels held their groundbreaking recently with an anticipated opening in the Spring of 2013.
- 3) Out to lunch Wednesdays, Federal Realty concert series on Friday evenings and the Farmer's market continue and are doing well.
- 4) Restaurant Week is scheduled for Friday, September 10th through Sunday September 18th, 2011.

#### **6. Appointments/Announcements of Vacancies**

Mayor Marcuccio announced vacancies on the following: Board of Supervisors of Elections, Compensation Commission, Cultural Arts Commission, Historic District Commission, Human Rights Commission, Human Services Advisory Commission, Landlord Tenant Affairs Commission, Rockville Economic Development, Inc., Senior Citizens Commission, Sign Review Board, and Traffic and Transportation Commission.

#### **7. Recognition - Certificate of Appreciation recognizing the Embassy of the Czech Republic and the Czech Republic for its efforts to promote and provide K-9 dogs**

In connection with the Rockville City Police Department's special relationship with the Czech Republic, the Mayor and Council presented the Czech Ambassador, Petr Gandalovic, a Certificate of Appreciation. Mayor Marcuccio read the recognition which was accepted by Ambassador Gandalovic.

#### **8. Citizen's Forum**

*Citizen*

*Issue*

Joe Lynott

Historic Dawson Farmhouse

Jennifer Kaye

Rooftop Activities

#### **9. Mayor and Council's Response to Citizen's Forum and Announcements**

The following members of the Mayor and Council responded to comments made during Citizen's Forum: Mark Pierzchala and Mayor Marcuccio.

## **10. Consent Agenda**

- A. Award of Request for Proposal #41-11 for as-needed professional engineering services related to the inspection, design for repair and/or replacement, and construction inspection services for City bridges and structures in the aggregate amount not to exceed \$500,000.
- B. Release of Reversionary Interests and Modification of Covenants for the 1874 Dawson Farmhouse property, 1080 Copperstone Court
- C. Approval of Minutes

**Motion:** to approve Consent Agenda

Moved Councilmember Pierzchala, seconded by Councilmember Gajewski and unanimously passed.

## **11. Public Hearing - Annexation ANX2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road; Silverwood/Shady Grove, LLC, applicant**

Mayor Marcuccio introduced the item and called upon the list of speakers. After receiving testimony from six speakers, a complete transcript of which can be found in the Office of the City Clerk, the Mayor declared the public hearing closed and said the record would remain open until 5:00 p.m. on September 26, 2011.

## **12. Approval - Strategy to Advocate for MCPS Capital Projects**

Linda Moran, Assistant to the City Manager, provided the staff report to the Mayor and Council regarding strategies to alleviate school overcrowding. Ms. Moran reported that on June 13, 2011 the Mayor and Council adopted a resolution to support a "school only" design option for the proposed new Richard Montgomery Elementary School (RMES) #5. The school-only option was the preferred option selected by the RMES #5 Facility Advisory Committee that met five times between February 28 and May 12, 2011. The Mayor and Council directed staff to develop a comprehensive strategy to advocate for MCPS capital projects including, a new RMES#5 school at the former Hungerford Park site. Ms. Moran concluded her report and Councilmember Britton stressed the need to work hand in hand with the PTA and the community members, and identify key times for their participation in the process. Mayor Marcuccio echoed that statement adding that the Mayor and Council endorsed a resolution earlier written by the PTA. Councilmember Newton asked staff to advise as to all dates for this process as soon as possible.

**Motion:** to approve strategy to advocate for MCPS capital projects

Moved by Councilmember Newton, seconded by Councilmember Britton and unanimously passed.

## **13. Adoption - Resolution on Congressional Redistricting**

Mr. Ullery provided background on the resolution stating that the Mayor and Council, at their meeting on August 15, 2011, suggested that a resolution be drafted to express the views of the elected body on the State of Maryland Congressional Redistricting. Councilmember Pierzchala drafted the resolution according to the discussion on August 15th.

**Motion:** to adopt resolution on Congressional Redistricting

Moved by Councilmember Pierzchala, seconded by Councilmember Britton and unanimously passed.

**14. Discussion and Instruction - City of Rockville Policies and Procedures for Citizen Boards and Commissions**

City Clerk Glenda Evans presented the background on this item stating that this came out of the Mayor and Council meeting of April 11, 2011 relating to the appointment process. There was general discussion that included:

- Purpose of the document (to provide staff with tools on how to handle the appointment process)
- There are various subcommittees, ad hoc, and task force groups that still need to be addressed
- The 2009 revisions were never adopted
- Document is more complicated than it needs to be

Mayor Marcuccio said that she would be happy to work with staff and come up with a common ground that would work. The Council agreed.

**15. Mayor and Council Liaisons to Boards and Commissions Report**

Councilmember Gajewski reported that he and Councilmember Britton attended the 10th annual Maryland Hispanic Business Conference. Councilmember Britton said that he and Councilmember Newton attended the opening of the VisArts current show which spotlights depictions of murals that were taken down by the Department of Labor in Augusta, Maine because of political controversy. Councilmember Newton mentioned that she attended the MML legislative committee meeting and was happy to report the number one priority of the group is to seek restoration of the HUR funds and police protection monies. Ms. Newton said that she and Mayor Marcuccio had attended the Right Start Power conference and that there were over 1,000 people in attendance. Councilmember Newton had also attended the Rockville Housing Enterprise strategic planning session and spoke of its tremendous success. She also attended the Montgomery County 9/11 commemoration and commented on the outstanding job that the County and the City Rockville had done in facilitating that event. Councilmember Gajewski mentioned that he and the Mayor had attended the Mattie Stepanek Park event.

**16. Review and Comment - Future Agendas and Tentative Agenda**

Councilmember Newton mentioned that a worksession has not yet been scheduled with the Traffic and Transportation Commission and asked that it be scheduled soon. Regarding the RedGate RFP, Councilmember Newton asked when that would come back and Mr. Ullery responded that it is tentatively scheduled for October 3rd. Regarding the County's proposed legislation concerning a curfew, Councilmember Newton suggested that this item be taken up by the Mayor and Council at a meeting in the near future. Regarding workforce housing, Councilmember Newton asked that a conversation come up at a future meeting. There was ensuing discussion related to a recent application from a developer whereby they wanted to label it workforce housing. The City currently does not have a program for this. Councilmember Newton reiterated the need for a discussion on Workforce Housing in Rockville and asked that it be placed on future agendas.

#### **17. Review and Comment - Mayor and Council Action Report**

Mr. Ullery said that the applications for the Citizen Implementation Commission were distributed and now is the opportunity for the Council to review and vet them. Mayor Marcuccio said that those applications from people living outside Rockville should be eliminated. Councilmember Newton described the mission of the Commission; she does not believe that developers should be on the Commission, and by dictating parameters of where people live will impact the group's ability to look at the whole Rockville picture. Mr. Ullery said that he would redistribute the materials to the Mayor and Council and that the matter would come up at an upcoming meeting.

#### **18. Old/New Business**

Councilmember Newton asked that a discussion be had on the proposed curfew of Montgomery County. Councilmember Gajewski said he is not prepared to have the discussion tonight because he would like have the background, see all related materials and understand how the proposal will affect Rockville. Councilmember Pierzchala mentioned that he spoke with Councilmember Phil Andrews and that there is enough time for the Mayor and Council of Rockville to take this up before any final action occurs. Councilmember Gajewski said that final action would be on October 19. There was consensus to add the curfew item to the agenda for September 19th.

#### **19. Adjournment**

**Motion:** to adjourn

There being no further business and upon motion moved by Councilmember Britton, seconded by Councilmember Mark Pierzchala and unanimously passed, the meeting adjourned at 10:06 pm.